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Letter dated 6 June 2003 from the Permanent Representatives of Canada, Jordan, Liechtenstein, New Zealand and Switzerland to the United Nations addressed to the President of the Security Council

On behalf of our Governments, we have the honour to request that, in accordance with the relevant provision of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Security Council, the Council convene a public meeting and invite interested States to speak in the Council's discussions on the proposed renewal of the provisions of Security Council resolution 1422 (2003).

The proposed renewal of the provisions of that resolution has implications of direct import to Member States, including those that are parties to the Rome Statute of the International Criminal Court, relating to international peacekeeping, fundamental questions of international law and the role of the Council in promoting law and accountability.

(*Signed*) Paul **Heinbecker**
Permanent Representative of Canada

(*Signed*) H.R.H. Prince Zeid Ra'ad Zeid **Al-Hussein**
Permanent Representative of the Hashemite Kingdom of Jordan

(*Signed*) Christian **Wenaweser**
Permanent Representative of the Principality of Liechtenstein

(*Signed*) Don **MacKay**
Permanent Representative of New Zealand

(*Signed*) Jenö C. A. **Staehelin**
Permanent Representative of Switzerland

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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report every 90 days on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS). Subsequently, the Security Council, at its informal consultations on 8 July 2002, requested me to submit a written report every six months.

2. In my previous report of 13 December 2002 (S/2002/1367), I noted that the political, economic and social situation in Guinea-Bissau remained of great concern. Following the oral briefing by my Representative on 5 March 2003, the present report covers developments since that time, focusing in particular on conditions in the country in advance of early legislative elections scheduled for 6 July 2003.

II. Political developments

3. I regret to say that in the reporting period the overall situation in Guinea-Bissau has not improved. In fact, it has worsened. Amid political and institutional instability, electoral uncertainty has continued to generate tensions, as the question of the promulgation of the revised constitution remains unresolved. President Koumba Yalá has continued to argue that, since the National Assembly is not functioning, it is not possible either to make progress on the constitutional issue or to hold elections for the posts of President and Vice-President of the Supreme Court of Justice until a new National Assembly has been elected.

4. The lack of progress in the constitutional and electoral spheres has been mirrored by a general deterioration in the political climate. Opposition leaders have continued to accuse the Government of arbitrary executive decisions, restrictions imposed on independent media, harassment of political opponents by security officials, the imposition of travel bans on prominent personalities and limitation of access to the mass media by political parties.

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5. Moreover, frequent ministerial changes, notably the dismissal by the President, from 30 March to 23 April 2003, of several close associates, including his Spokesman, the Minister of the Interior and the Minister of Defence, have raised concerns about the stability and continuity of the Government's activities. Tensions culminated when the dismissed Minister of Defence was taken into custody on 30 April 2003 for questioning in connection with an alleged coup plot. On 3 May 2003, one of the President's Advisers for Political Affairs was also dismissed and, three days later, arrested for questioning, apparently in connection with the same alleged plot. The President told my Representative that all arrests involved criminal matters and assured him that he would allow the law to take its course.

6. Meanwhile, preparations for the elections rescheduled for 6 July 2003 have been extremely slow. Since donors have conditioned financial support for the elections on the creation of propitious conditions for credible elections, the Government has tended to blame the delays in the electoral process on the international community. Despite the provision by the United Nations Development Programme (UNDP) of an initial US$ 500,000 grant to support the updating of electoral registers, and the contribution, by Portugal, of the necessary electoral materials, by mid-May none of the benchmarks of the electoral timetable, including the updating process, had been met. Against this background, opposition parties have increasingly called for the appointment of a "government of national unity" until the elections are held.

7. To encourage dialogue between the ruling Partido da Renovação Social (PRS) and the major opposition parties, UNOGBIS facilitated meetings on 18 March, 1 April and 22 May 2003 to discuss current issues as well as to reflect on the future of their country. UNOGBIS has also completed preparations for a six-month countrywide programme of activities to consolidate the process of national reconciliation and to promote the culture of conflict-prevention. In preparations for this programme, UNOGBIS has assisted the Federation of Women of Guinea-Bissau in the elaboration and launching of a plan of action designed to maximize the participation of women in the political process, including in the forthcoming elections.

8. Increasingly concerned about the ongoing instability in Guinea-Bissau, subregional organizations stepped up efforts to help stabilize the country. On 14 March 2003, the current Chairman of the Organization of Portuguese-speaking African States (PALOP), President dos Santos of Angola, convened an extraordinary Summit, attended by President Yalá. In their Communiqué of 14 March 2003, the PALOP heads of State encouraged the authorities of Guinea-Bissau to "pursue the path of dialogue and political concertation as the best way to resolve current problems". They also called on the international community to provide the necessary technical, logistic and material support for the holding of the legislative elections.

9. On 7 April 2003, the Mediation and Security Council of the Economic Community of West African Countries (ECOWAS) met in Abidjan to discuss the security situation in West Africa, including the rising political tensions in Guinea-Bissau. In a press statement, ECOWAS recommended the dispatch to Guinea-Bissau of a delegation of its Council of Elders to assist the Government of that country to strengthen democratic governance and reduce political tensions.

10. The Group of Friends of Guinea-Bissau as well as the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council, and the Ad Hoc Advisory Group on Guinea-Bissau, established by the Economic and Social Council, have continued to work closely to explore ways to assist Guinea-Bissau in meeting the multiple challenges confronting the country.

III. Military and security aspects

11. The situation along the border with Senegal continues to be calm and the security measures put in place two years ago have been largely successful in preventing incursions into Guinea-Bissau's territory by armed elements of the separatist Movement of Democratic Forces of Casamance (MFDC). In a gesture of good-neighbourliness and to promote peace and stability in the subregion, President Yalá has indicated his willingness to host in Bissau consultations involving factions of MFDC at the request of President Wade of Senegal.

12. Internally, there have been reported tensions in the armed forces over the non-payment of salaries for up to five months and there have been reports of desertions from the ranks. Amid the latest coup d'état rumours, on 9 May 2003, the Chief of Staff of the Armed Forces issued a communiqué in which he denounced reports of an imminent coup d'état and reaffirmed the commitment of the armed forces to "democracy, dialogue, tolerance, transparency and justice".

13. The Demobilization, Reinsertion and Reintegration Programme (DRRP) has now entered the reintegration phase, which is expected to conclude in June with the reinsertion of 6,000 ex-combatants defined as "vulnerable". Fourteen non-governmental organizations have been contracted by the Programme to provide training and work opportunities to the non-combatants in various locations across the country. As of late April, the DRRP Multi-donor Trust Fund had sufficient funds to enable it to function only until September 2003.

14. The restructuring of the armed forces has taken a step forward with the creation of two bodies, one to deal with equipment and the other with the army's support services and to consider the way ahead. However, a critical lack of resources continues to hamper the full implementation of the restructuring programme.

15. Demining continues to be carried out by two non-governmental organizations, Humanitarian Aid (HUMAID) and, since February 2002, Lutamos Todos Contra as Minas (LUTCAM), under the coordination of the National Mine Action Coordination Centre (CAAMI) with support from UNDP. According to the Government, 1,000 stockpiled anti-personnel mines, and 2,455 mines in mined areas had been destroyed in the year to 30 April 2003. However, despite the considerable progress made in the demining area, at least five serious accidents among civilians were reportedly caused by unexploded mines in the first five months of 2003.

16. The situation of the police force continues to be critical. Despite reports of increased criminal activity in Bissau, the police lack any quick-reaction capability and training is rudimentary. There remains a need for the police — who, in Guinea-Bissau are recruited almost exclusively from the military — to be provided with their own statutes and rules and with adequate professional training and equipment.

IV. Human rights aspects

17. In advance of the announced legislative elections, the human rights situation in the country has become more fragile, reflecting and, at the same time, adding to, the general instability in Guinea-Bissau. There have been frequent cases of intimidation of political opponents, sometimes involving physical force, and several prominent personalities have been prevented from travelling abroad. The monopoly of national radio and television broadcasting facilities by the ruling party and the Government has engendered the opposition's frustration and mistrust. At the same time, the private media have been subjected to repressive measures, including the revocation by the Government of the license of the independent *Radio Bombolom* on 13 February 2003 and the suspension of the Portuguese television station, RTP-Africa. On 13 May 2003, following a judgement by the Court of Accounts, the first case for several years where the law courts have countermanded a decision by the executive branch, *Radio Bombolom* reopened. However, the Secretary of State for Communication publicly challenged the court's decision.

18. UNOGBIS has continued to monitor the human rights situation closely, working with the authorities on all cases involving restrictions of civil liberties, while giving special attention to the cases of 11 individuals, 9 armed forces members and 2 civilians, arrested in December 2002 and held without charge or trial, ostensibly for plotting a coup d'état. Following persistent efforts by UNOGBIS, on 6 May 2003, the authorities finally allowed access to all prisoners. The visit revealed that they were being held in unsatisfactory conditions, while the authorities stated that they lacked the means to prepare a legal case against the detainees. UNOGBIS, together with the International Committee of the Red Cross, continues to pursue the matter of prison conditions with the authorities.

19. As part of its efforts to reinforce national capacity in the protection and the respect of human rights, UNOGBIS, in cooperation with the Embassy of the United Kingdom, provided equipment and supplies to eight provincial courts to enable their minimum functioning. In collaboration with the Office of the United Nations High Commissioner for Human Rights, UNOGBIS has helped the Inter-Ministerial Committee on Human Rights of Guinea-Bissau in developing the National Human Rights Plan of Action, which was launched on 28 March 2003.

V. Economic and social aspects

20. The worsening social and economic situation of the population has continued to sharpen political tensions. With accumulated salary and wage arrears owed by the Government now amounting to approximately $11 million, public dissatisfaction and frustration has resulted in periodic strikes by public sector workers. In the absence of financial resources, the Government was forced to pay some workers in rice, with one 50 kg bag being distributed to civil servants and two bags to members of the armed forces.

21. The United Nations Development Programme has been assisting and supporting the preparation of the Poverty Reduction Strategy Paper (PRSP), an essential component of further dialogue between the Government of Guinea-Bissau and the development community.

22. In the second half of 2002, the International Monetary Fund (IMF) decided to end attempts to revive the Poverty Reduction and Growth Facility (PRGF), which has remained off-track, and suggested the formulation by the authorities of an alternative staff-monitored programme (SMP) to provide the framework for the donors to decide on the effectiveness and continuation of their assistance under the actual circumstances. However, further discussions on such an SMP have been postponed until after the elections.

23. Four IMF technical assistance missions visited Bissau in March and April to review the operations of the Ministry of Economy and Finance in the areas of revenue administration and expenditure management as well as macroeconomic and fiscal statistics. Meanwhile, the World Bank has reclassified Guinea-Bissau as a "LICUS" (low-income country under stress), enabling the Bank to conduct close monitoring of economic and social conditions in the country. The Bank, in close cooperation with the Government, is conducting a major Public Expenditure Review, which is due to be completed in August. To that end, several World Bank assessment missions have visited Guinea-Bissau in recent weeks. In cooperation with the Food and Agriculture Organization of the United Nations, the Bank is assisting the Government to define its fisheries policy to prepare for a national conference in June. The Bank is also cooperating with the United Nations Children's Fund to promote programmes on early childhood development. To help lower social tensions, the Bank is reviewing the possibility of making funds available from Economic Rehabilitation and Reconstruction Credits (ERRC) to pay some of the arrears of teachers' salaries.

24. With regard to food security, the World Food Programme (WFP), which has been closely monitoring the food situation, has estimated that there is a current food deficit in cereal of 40,000 metric tons. A first delivery of 2,035 metric tons of rice donated by Japan arrived in Bissau in mid-April. In 2003, WFP, through programmes operating in 459 schools, has been feeding over 80,000 children.

VI. Observations

25. The situation in Guinea-Bissau has worsened. There is now a consensus that Guinea-Bissau, which had seemed so promising following the ending of the 1998-1999 armed conflict and the holding of free and fair general elections, is now once again embarked on a downward course. Every effort should therefore be made by the country's leaders to ensure that the rehabilitation and peace-building agendas can be put back on track.

26. The forthcoming legislative elections are widely seen as a crucial test of Guinea-Bissau's young democratic process. At President Yalá's request, the United Nations is currently providing technical assistance to the National Electoral Commission and would be prepared to coordinate international observation. However, as I have informed the President, should the United Nations determine that conditions are not conducive for free, fair and credible elections, the Organization could reconsider its assistance. In this regard, I have decided to dispatch another electoral mission to Guinea-Bissau to review the situation.

27. The political will of the international community to provide support to Guinea-Bissau and its people is palpable. This is evidenced, for example, by the creative instruments and programmes of the Bretton Woods institutions to help alleviate the

most pressing needs of the population. I welcome their continued engagement and encourage other international partners to be equally engaged.

28. The country's elected leaders have a sacred responsibility to put the people's needs above all other considerations and create basic conditions for democratic governance, peace and stability. The reopening of the independent *Radio Bombolom* is a step in the right direction, but more is needed to restore confidence and trust within the country and between Guinea-Bissau and its international partners.

29. I am aware that no one in Guinea-Bissau wishes to return to the violence and destruction of the recent past. President Yalá has repeatedly assured my Representative that, despite the critical situation of the country, he wishes a peaceful and negotiated outcome of the current crisis. I am encouraged by the President's pledge and I hope that he will abide by his commitment.

30. Lastly, I should like to pay tribute to my Representative in Guinea-Bissau, Mr. David Stephen, as well as to the staff of UNOGBIS and the whole United Nations country team, for their dedicated efforts in an increasingly difficult environment.

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Security Council

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 9 September 2002 (S/2002/1024) transmitting a supplementary report from Tunisia submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of Tunisia to the United Nations to set out its preliminary comments. Tunisia has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 26 September 2002 (S/2002/1087) transmitting a supplementary report from Kazakhstan submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of Kazakhstan to the United Nations to set out its preliminary comments. Kazakhstan has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 9 September 2002 (S/2002/1021) transmitting a supplementary report from the Libyan Arab Jamahiriya submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations to set out its preliminary comments. The Libyan Arab Jamahiriya has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Security Council

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 31 July 2002 (S/2002/876) transmitting a supplementary report from Malta submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of Malta to the United Nations to set out its preliminary comments. Malta has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 18 July 2002 (S/2002/795) transmitting a supplementary report from New Zealand submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of New Zealand to the United Nations to set out its preliminary comments. New Zealand has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Letter dated 6 June 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 30 December 2002 (S/2003/16) transmitting a supplementary report from Jordan submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully with the assistance of its experts and has written to the Permanent Representative of Jordan to the United Nations to set out its preliminary comments. Jordan has been requested to provide a response in the form of a third report by 2 September 2003.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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